

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

LOUIS BROWN,

Defendant.

18-CR-390-14 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

The Court is attaching a letter it has recently received from defendant Louis Brown, in further support of his application for compassionate release. The Court will consider this letter in resolving the application.

SO ORDERED.



PAUL A. ENGELMAYER  
United States District Judge

Dated: May 26, 2020  
New York, New York

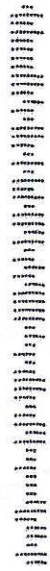
L. Brown 12750-054  
33 1/2 Pembroke Rd.  
Danbury, CT 06811-3899

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Honorable Paul A. Engelmayer  
U.S. District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007-1312



10007-13099



Honorable Paul A. Engelmayer

SIR, I previously wrote to you with regard to my being housed in F.C.I. Danbury throughout this pandemic. I've stated to you how life combating COVID-19 here is beyond dismal. I have filed for a COMPASSIONATE Release under 18 U.S.C. 3582 (c) (1) (A) and 4205 (G) to the Residing Warden one D. Easter. Mrs. Easter has Denied such claim. (Please view Attachment from Warden and the basis to which she Denied me.) Since my previous letter to you a Class Action Suit was filed and has been Partially Granted Against F.C.I. Danbury for violating the Inmate populations 8<sup>th</sup> Amendment Rights. Mrs. Easter along with other B.O.P officials would have the public believe that the positive contracted numbers are down, and COVID-19 spread here is in fact contained. I vehemently contest such notion. Regular testing has recently began per unit. Each unit is comprised of approximately 60 to 70 Inmate per unit. After completing one unit ~~Inmate~~



10 Inmates Tested positive for COVID-19. This is still Alarming and Disheartening to say the least. Several Impelmentations regarding the criteria of who's Eligible for the Cares Act and Also Compassionate Release has occurred since my last letter as well. The latest Rendition Contradicts the Very Reasons Mrs. Easter Deuced me.

I was sent to F.C.I Danbury to serve My sentence. It is UNFATHOMABLE to believe it would become A Death Sentence. This Administration has Failed Miserably At its Approach in Securing the Inmate population.

There Has been A loss of life. Several inmates Are Hospitalized Rendered to Ventilators, While the remaining population self Medicate And remain High Strung. As we are clueless as to when And how to Combat this Deadly Virus should our Continuous Exposure Allow us to Catch IT.

Respectfully

Louis Brown

Response to Inmate Request to Staff Member

BROWN, Louis  
Register Number: 12750-054  
Unit: G-A

You requested a reduction in sentence (RIS) based on concerns about COVID-19. After careful consideration, your request is denied.

Title 18 of the United States Code, section 3582(c)(1)(A), allows a sentencing court, on motion of the Director of the BOP, to reduce a term of imprisonment for extraordinary or compelling reasons. BOP Program Statement No. 5050.50, Compassionate Release/Reduction in Sentence: Procedures for Implementation of 18 U.S.C. §§ 3582(c)(1)(A) and 4205(g), provides guidance on the types of circumstances that present extraordinary or compelling reasons, such as the inmate's terminal medical condition; debilitated medical condition; status as a "new law" elderly inmate, an elderly inmate with medical conditions, or an "other elderly inmate"; the death or incapacitation of the family member caregiver of the inmate's child; or the incapacitation of the inmate's spouse or registered partner. Your request has been evaluated consistent with this general guidance.

You presently do not meet criteria under the RIS categories of "new law" elderly inmates, other elderly inmates nor elderly inmates with medical conditions as you do not meet the time served requirement.

The BOP is taking extraordinary measures to contain the spread of COVID-19 and treat any affected inmates. We recognize that you, like all of us, have legitimate concerns and fears about the spread and effects of the virus. However, your concern about being potentially exposed to, or possibly contracting, COVID-19 does not currently warrant an early release from your sentence. Accordingly, your RIS request is denied at this time.

Based upon current guidelines, you were reviewed for home confinement under the CARES Act but are ineligible as you have not served 50% of your sentence and having greater than 18 months remaining on your sentence.

If you are not satisfied with this response to your request, you may commence an appeal of this decision via the administrative remedy process by submitting your concerns on the appropriate form (BP-9) within 20 days of the receipt of this response.

D. Easter  
D. Easter, Warden

5-7-2020  
Date



Type or use ball-point pen. If attachments are needed, submit four copies. Additional instructions on reverse.

From: Brown Louis 12750-054 WEST Fci Danbury  
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A- INMATE REQUEST

Warden Easter,

I would like to respectfully request reconsideration for a reduction in sentence (RIS) based upon the COVID-19 pandemic, Title 18 of the United States Code, Section 3582 (a)(1)(A), Compassionate release reduction in sentence for extraordinary and Compelling reasons.

I am over 65 and have substantial debilitated medical conditions. The Danbury FCI, DeGreene and Dr. Schindler, have my complete file. I have a stable and loving home to go to upon my release. I look forward to spendy time with my many grandchildren.

DATE

L. Brown  
SIGNATURE OF REQUESTER

Part B- RESPONSE

DATE

WARDEN OR REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the Regional Director. Your appeal must be received in the Regional Office within 20 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER: 1019773 F1

CASE NUMBER: \_\_\_\_\_

Part C- RECEIPT

Return to: \_\_\_\_\_  
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: \_\_\_\_\_

DATE

\_\_\_\_\_  
RECIPIENT'S SIGNATURE (STAFF MEMBER)